

Interview Summary

Application No.

10/686,409

Applicant(s)

KOKUBO, SHIGEHICO

Examiner

LIEN TM NGO

Art Unit

3754

All participants (applicant, applicant's representative, PTO personnel):

(1) LIEN TM NGO.

(3) _____.

(2) GERALD HESPOS (Attorney).

(4) _____.

Date of Interview: 16 November 2006.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1, 3, 7, 11, and 19.

Identification of prior art discussed: all prior art references of record.

Agreement with respect to the claims f) ☒ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: A proposed amendment to claims 1, 3, 7, 11 and 19 was faxed for examiner's consideration. No agreement was made that the proposed claims were allowable. However, Examiner suggested if the claims further amend to define the ring-shaped projection being flange protruding at the bottom end of the convex arcuate portion, then the claims would overcome the prior art of record. A formal amendment will be filed and a further search will follow.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

LIEN M. NGO
PRIMARY EXAMINER



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

CASELLA & HESPOS LLP
Attorneys at Law
274 Madison Avenue
Suite 1703
New York, New York 10016

Date: November 15, 2006

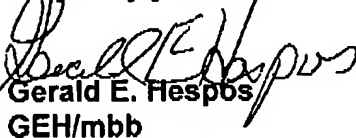
PLEASE DELIVER THE FOLLOWING 9 (INCLUDING COVER SHEET) PAGES

Name: Examiner Ngo
Firm: Commissioner for Patents
City & Country: Alexandria, Virginia
Telephone No.: (571) 272-4545
Facsimile No.: (571) 273-4545
Atty. Ref.: P1254US - U.S. Patent Appl. No. 10/686,409
From: Gerald E. Hespos **Business Phone:** (212) 725-2450

Dear Examiner Ngo:

I am attaching a draft of the amended claims that I would like to discuss during our interview scheduled for 2:00 pm tomorrow. As we discussed during our telephone conversation I have samples of both the prior art nozzle and the nozzle of the subject invention that I would like to present to you during the interview.

Very truly yours,


Gerald E. Hespos
GEH/mbb

IF YOU HAVE PROBLEMS READING OR ARE MISSING ANY OF THE FOLLOWING PAGES,
PLEASE CONTACT OUR OPERATOR AT (212) 725-2450.
XEROX (GROUPS I-II-III) (212) 725-2452

Operator Marie

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DRAFT

Group Art Unit: 3754
Examiner: Ngo, L.

Atty. Ref.: P1254US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shigehiko Kokubo
Appl. No. : 10/686,409
Filed : October 14, 2003
For : NOZZLE FOR A LIQUID CONTAINER AND A LIQUID CONTAINER

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This Amendment is submitted in response to the office action of August 17,

2006. Please amend the application as follows:

CLAIM AMENDMENTS:

1. (currently amended) A nozzle which is to be provided on a top of a tubular neck portion of a liquid container, the tubular neck portion being configured to be mounted with a cap, the nozzle having opposite top and bottom ends and comprising:

a discharging hole extending through the nozzle from the top end towards the bottom end and being disposed to be hermetically sealed by an inner top portion of the cap;

a flange portion spaced from the top end of the nozzle and configured to be in contact with the top of the tubular neck portion of the liquid container;

a ring-shaped projection formed between the flange portion and the top end of the nozzle and spaced from the flange portion and the top end of the nozzle; and

a constricted portion extending between the ring-shaped projection and the flange portion of the nozzle, the constricted portion having an inwardly curved external surface with a minimum cross-sectional dimension that is less than external cross-sectional dimensions defined by the flange portion and the ring-shaped projection; and a convex arcuate portion extending from the top end of the nozzle to the ring-shaped projection, the convex arcuate outer surface defining a maximum external cross-sectional dimension that is less than the external cross-sectional dimension of the ring-shaped projection but greater than the minimum cross-sectional dimension of the constricted portion.

Claim 2 (canceled).

3. (currently amended) A nozzle which is to be provided on a top of a tubular neck portion of a liquid container, the tubular neck portion being detachably

mounted with a cap such that an inner circumferential surface of the cap is in contact with an outer circumferential surface of the tubular neck portion, the nozzle having opposite top and bottom ends and comprising:

a discharging hole extending through the nozzle from the top end towards the bottom end and being disposed to be hermetically sealed by an inner top portion of the cap;

a flange portion spaced from the top end of the nozzle and in contact with the top of the tubular neck portion of the liquid container;

a ring-shaped projection to be hermetically brought into contact with the inner circumferential surface of the cap, the ring-shaped projection being formed between the flange and the top end of the nozzle and spaced from the flange and the top end of the nozzle; and

a constricted portion between the ring-shaped projection and the flange portion of the nozzle, the constricted portion having an inwardly curved external surface with a minimum cross-sectional dimension that is less than external cross-sectional dimensions defined by the flange portion and the ring-shaped projection; and a convex arcuate portion extending from the top end of the nozzle to the ring-shaped projection, the convex arcuate outer surface defining a maximum external cross-sectional dimension that is less than the external cross-sectional dimension of the ring-shaped projection but greater than the minimum cross-sectional dimension of the constricted portion.

Claims 4 and 5 (canceled).

6. (previously presented) A nozzle according to claim 1, wherein at least two ring-shaped fins whose edges are to be hermetically brought into contact with an inner

circumferential surface of the tubular neck portion upon inserting the nozzle into the tubular neck portion are formed on an outer circumferential surface of the nozzle between the flange portion and the bottom end portion of the nozzle while being vertical spaced apart, and an airtight air pool is formed between hermetic contact portions of the respective ring-shaped fins and the inner circumferential surface of the tubular neck portion.

7. (currently amended) A nozzle having opposite top and bottom ends, portions of the nozzle between the ends being configured to be inserted into a tubular neck portion of a liquid container such that an outer circumferential surface of a lower portion of the nozzle is hermetically held in contact with an inner circumferential surface of the tubular neck portion, the tubular neck portion being detachably mounted with a cap such that an inner circumferential surface of the cap is spirally engaged with or locked into an outer circumferential surface of the tubular neck portion, the nozzle comprising:

a discharging hole extending from the top end of the nozzle and into the liquid container, the discharging hole being disposed to be hermetically sealed by an inner top portion of the cap;

a flange portion spaced from the top and bottom ends of the nozzle and in contact with the top of the tubular neck portion of the liquid container;

a ring-shaped projection to be hermetically brought into contact with the inner circumferential surface of the cap, the ring-shaped projection being formed between the flange portion and the top end of the nozzle and spaced from the flange portion and the top end of the nozzle; and

a constricted portion between the ring-shaped projection and the flange portion of the nozzle, the constricted portion having an inwardly curved external surface

with a minimum cross-sectional dimension that is less than external cross-sectional dimensions defined by the flange portion and the ring-shaped projection; and a convex arcuate portion extending from the top end of the nozzle to the ring-shaped projection, the convex arcuate outer surface defining a maximum external cross-sectional dimension that is less than the external cross-sectional dimension of the ring-shaped projection but greater than the minimum cross-sectional dimension of the constricted portion.

Claims 8 and 9 (canceled).

10. (previously presented) A nozzle according to claim 7, wherein at least two ring-shaped fins whose edges are to be hermetically brought into contact with the inner circumferential surface of the tubular neck portion upon inserting the nozzle into the tubular neck portion are formed on the outer circumferential surface of the nozzle while being spaced apart from one another between the flange portion and the bottom end of the nozzle, and an airtight air pool is formed between hermetic contact portions of the respective ring-shaped fins and the inner circumferential surface of the tubular neck portion.

11. (currently amended) A nozzle which is formed on a top of a cap hermetically mounted on a tubular neck portion of a liquid container, the cap being coupled with an upper lid via a hinge, the upper lid being formed with a tubular portion on an inner top portion thereof, the nozzle comprising:

opposite top and bottom ends, the bottom end at the top of the cap;

a discharging hole extending through the nozzle from the top end substantially to the bottom end and being disposed to be hermetically sealed by the inner top portion of the upper lid;

a ring-shaped projection to be hermetically brought into contact with an inner circumferential surface of the tubular portion of the upper lid, the ring-shaped projection being formed between the top of the cap and the top end of the nozzle and spaced from the top of the cap and the top end of the nozzle; and

a constricted portion between the ring-shaped projection of the nozzle and the bottom end of the nozzle, the constricted portion having an inwardly curved external surface with a minimum cross-sectional dimension that is less than an external cross-sectional dimension defined by the ring-shaped projection; and a convex arcuate portion extending from the top end of the nozzle to the ring-shaped projection, the convex arcuate outer surface defining a maximum external cross-sectional dimension that is less than the external cross-sectional dimension of the ring-shaped projection but greater than the minimum cross-sectional dimension of the constricted portion.

Claims 12-18 (canceled).

19. (currently amended) A nozzle which is to be provided on a top of a tubular neck portion of a liquid container, the nozzle having opposite and bottom ends comprising:

a discharging hole extending from the top end towards the bottom end for discharging liquid from the liquid container;

a flange portion spaced from the top end of the nozzle and configured to be in contact with the top of the tubular neck portion of the liquid container;

a ring-shaped projection formed between and spaced from the flange portion and the top end of the nozzle; and

a constricted portion between the ring-shaped projection and the flange portion of the nozzle, the constricted portion having an inwardly curved external surface with a minimum cross-sectional dimension that is less than external cross-sectional dimensions defined by the flange portion and the ring-shaped projection; and a convex arcuate portion extending from the top end of the nozzle to the ring-shaped projection, the convex arcuate outer surface defining a maximum external cross-sectional dimension that is less than the external cross-sectional dimension of the ring-shaped projection but greater than the minimum cross-sectional dimension of the constricted portion.

Claims 20-26 (canceled).

27. (new) A nozzle according to claim 1, wherein the ring-shaped projection has a tapered or chamfered upper surface that intersects the convex arcuate portion extending from the top end of the nozzle.

28. (new) A nozzle according to claim 3, wherein the ring-shaped projection has a tapered or chamfered upper surface that intersects the convex arcuate portion extending from the top end of the nozzle.

29. (new) A nozzle according to claim 7, wherein the ring-shaped projection has a tapered or chamfered upper surface that intersects the convex arcuate portion extending from the top end of the nozzle.

30. (new) A nozzle according to claim 11, wherein the ring-shaped projection has a tapered or chamfered upper surface that intersects the convex arcuate portion extending from the top end of the nozzle.

31. (new) A nozzle according to claim 19, wherein the ring-shaped projection has a tapered or chamfered upper surface that intersects the convex arcuate portion extending from the top end of the nozzle.

32. (new) A nozzle according to claim 1, wherein the nozzle is formed unitarily from a synthetic resin.

33. (new) A nozzle according to claim 3, wherein the nozzle is formed unitarily from a synthetic resin.

34. (new) A nozzle according to claim 7, wherein the nozzle is formed unitarily from a synthetic resin.

35. (new) A nozzle according to claim 11, wherein the nozzle is formed unitarily from a synthetic resin.

36. (new) A nozzle according to claim 19, wherein the nozzle is formed unitarily from a synthetic resin.